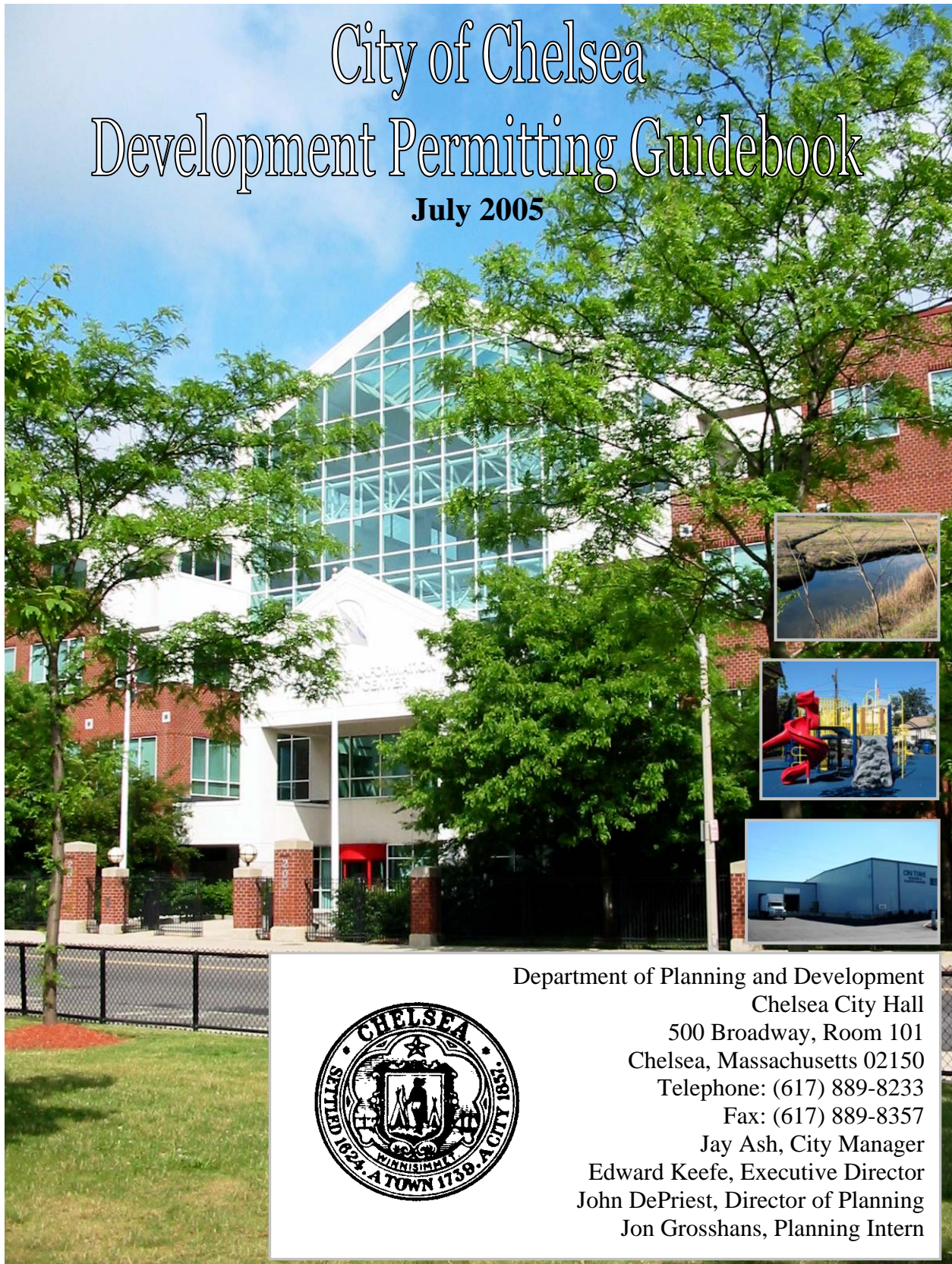


City of Chelsea Development Permitting Guidebook

July 2005



Department of Planning and Development

Chelsea City Hall

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I. INTRODUCTION



The purpose of this guidebook is to assist residents, developers, realtors, and property owners in understanding the development permitting process in the City of Chelsea. This guidebook is designed to streamline the permitting process by presenting a concise description of the permitting process for both applicants and City staff. This manual is not an all-inclusive guidebook to the regulations and permits required for every project. These guidelines are not official City regulations and have not been adopted by the City Council.

In general, the administrative building process in Chelsea begins with the Inspectional Services Department. However, it is strongly encouraged that proponents of major or potentially complicated projects arrange a meeting with Department of Planning and Development Staff to identify which permits are required and understand the process timeline. This informal meeting can be scheduled by calling the DPD. No formal application needs to be submitted in order to informally meet with DPD staff. These meetings are also available for discussing specific questions or issues with other departments, such as the Fire Department, Health Department, and Department of Public Works. Meeting before the official board hearing also allows proponents to receive advance notice about potential design or zoning issues that will require additional information in order to expedite the process. Besides the information contained in this handbook, the DPD staff is available to answer specific questions related to individual projects. A list of contacts for all development-related queries is included as the last page in this guide.

The permit applicant and project proponent is ultimately responsible for obtaining copies of all zoning regulations in order to understand the process and requirements.

Electronic Resources

- *City of Chelsea Zoning Ordinance*- An electronic version (.pdf) is available at http://www.ci.chelsea.ma.us/Public_Documents/ChelseaMA_Planning/zoning_docs/zoneord. Paper copies are available for purchase at the Office of the City Clerk for \$15 each.
- *Zoning Map and Overlay Districts*- An electronic version (.pdf) of the current maps are available at http://www.ci.chelsea.ma.us/Public_Documents/ChelseaMA_Planning/maps. The City GIS maps contain the most up-to-date zoning and assessing data and are available at <http://maps.chelseama.gov/>.
- *Applications*- Special permit/site plan and variance/appeals applications are available from the Inspectional Services Department and online at http://www.chelseama.gov/Public_Documents/ChelseaMA_Planning/petitions.
- *Guide to Public Participation in the Zoning Board of Appeals and Planning Board Process*- This guide is available at the Department of Planning and Development (Room 101) or online at http://www.chelseama.gov/Public_Documents/ChelseaMA_Planning/publications.

Special Permit and Variance Application Process

STEP ONE

Submit a Building Permit /Certificate of Occupancy application, surveyed site plan, floor plans, and building elevations to the Inspectional Services Department (ISD) in City Hall Room 203, (617) 889-8269, to apply for a Building Permit and/or a Certificate of Occupancy.

STEP TWO

ISD will review your application and issue you either a permit or a **letter** that indicates the features of your project that are not in compliance with the Chelsea Zoning Ordinance. **This denial letter indicates that your proposal needs zoning relief before moving forward and that a special review process is needed in the form of a special permit, variance, or both.**

STEP THREE

If you choose to seek the required zoning relief, **obtain a Special Permit and/or Major Site Plan Petition or Variance Petition** from the Inspectional Services Department (Room 203) or the City website (<http://www.ci.chelsea.ma.us>). The petition forms detail the submission requirements for your application. Call the Planning Staff with any questions you have about completing the application at (617) 889-8233.

STEP FOUR

Once your application is **complete with full copies of the application, narratives, pictures, and plans, submit the package to the City Clerk's office in City Hall.** If your application is complete, the Clerk will stamp in your petition. You may then distribute your plans to the various City departments and boards as directed in the application.

Your case will be scheduled to be heard by the appropriate board(s). **Agenda deadlines are usually four weeks prior to scheduled meetings.** The Zoning Board of Appeals (ZBA) generally meets every second Tuesday at 6:00 p.m. in Room 101 and the Planning Board generally meets every fourth Tuesday at 6:00 p.m., also in City Hall Room 101 on the first floor.

STEP FIVE

You, the applicant, and abutters will be notified by mail of the scheduled meetings. For special permit petitions, the Planning Board will review your petition and make a recommendation to the ZBA to approve, approve with conditions, or deny. You may present your case, or allow a friend, attorney, or architect to present your case for you.

STEP SIX

The ZBA will meet to review your special permit or variance petition. Once the decision is rendered by the ZBA (denied or approved with/without conditions), the **Board files the decision with the City Clerk.**

STEP SEVEN

If abutters file no appeals within twenty days of the decision filing date, you can obtain a certified copy of the decision at the City Clerk's office. **You must then file this certified decision at the Suffolk County Registry of Deeds to finalize the zoning approval.** The Building Inspector will require you to present evidence that this decision was properly recorded.

STEP EIGHT

Your application is now ready to proceed through the building permit or Certificate of Occupancy (C.O.) process. It is the applicant's responsibility to ensure that any conditions attached to the special permit and/or variance have been met. Once completed, you may continue the building permit process with the Inspectional Services Department.

Overview of the Development Process

Building Permit Authority is the Inspectional Services Department
Land Use Permit Authority is staffed by the Department of Planning and Development

Building permit application with complete supporting documentation is filed with the ISD.

The Zoning Enforcement Officer determines if the project meets the current zoning bylaws for the district. Projects denied due to zoning regulations must receive a special permit or variance from the ZBA in order to proceed.

Need additional permits

Other permitting processes:
Special Permit, Variance, Wetlands, Appeals, Subdivision, State and Local Licenses, etc.

Additional permits granted

Meets current zoning requirements

ISD will conduct a review for compliance with the State Building Code and comprehensive local regulations. If you meet the zoning requirements, begin ISD review. ISD will distribute the plans internally to other departments for review and comment before rendering a decision. ISD will notify applicant of approval, denial, or necessary corrections.

Upon submittal of the building permit application, the Zoning Enforcement Officer will review the project according to the zoning regulations. If the proposal is not permitted according to the zoning regulations, a denial letter will be issued and the applicant will need to follow either the special permit or variance processes in order to proceed forward. Once all additional permits are granted (if necessary), the plans will be evaluated by inter-departmental review and a building permit may be issued.

II. OVERVIEW OF THE PERMITTING PROCESS

There are five major permitting processes in the Department of Planning and Development:



➤ *Special Permit (ZBA and Planning Board)*

The zoning ordinance identifies certain land uses (e.g. office buildings, hospitals, large residential buildings, alterations to non-conforming uses/structures) which do not precisely fit into existing zones, but which may be allowed upon approval of a special permit. The zoning ordinance specifies those uses for which a special permit may be requested and in which zones they may be requested.

➤ *Site Plan Review (Planning Board)*

Site plans for projects of gross floor areas greater than 8,000 sq. ft and more than 25 parking spaces are evaluated based on the physical elements of the proposed layout in the site plan review.

➤ *Variance (Zoning Board of Appeals)*

A variance is a limited waiver of development standards for dimensions that are otherwise not permitted in that zone. The City may grant a variance only in cases that meet *all four variance criteria* as outlined in the zoning ordinance.

➤ *Wetlands (Conservation Commission)*

The Conservation Commission administers the Massachusetts Wetlands Protection Act and offers recommendations for mitigation measures for development in environmentally sensitive areas. The Conservation Commission determines if a project falls under the Commission's jurisdiction and provides comments to the Planning Board on site plans.

➤ *Subdivision (Planning Board)*

The *Chelsea Planning Board Rules and Regulations Governing the Subdivision of Land* in accordance with the Massachusetts Subdivision Control Law (MGL Chapter 41, Sections 81K-81GG) details the necessary permitting process for dividing up individual parcels.

Any proposal can require one or more of the permits administered by the DPD. In cases where multiple permits are being issued, the processes can proceed concurrently so as to expedite the process and allow the project to move forward in a timely manner for the applicant. *However, this timeliness is entirely dependent on the applicant to submit required plans, documentation, and surveys well in advance of scheduled board meetings as well as board availability and workload.*



III. SPECIAL PERMIT

Purpose

The purpose of a special permit is to ensure that the proposed use or structure will not adversely impact adjacent properties, the neighborhood, the community, or the environment. Securing a special permit ensures that the project meets the requirements of the zoning bylaw. The Board of Appeals acts as the special permit granting authority. The Planning Board, however, provides special permit recommendations to the ZBA.

Criteria

A special permit shall be granted by the ZBA only upon its written determination that the benefit to the neighborhood and the city outweigh any adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site. The determination includes consideration of each of the following:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment, including drainage; and
6. Potential fiscal impact, including impact on city services, tax base, and employment.



Review Process

The applicant shall provide one (1) original and twenty-one (21) copies of all plans, narratives, and applications. Fourteen plans shall be 11" x 17" copies for members of the ZBA and the Planning Board. Plans shall be prepared by a registered engineer, registered land surveyor, architect, or landscape architect, as appropriate. When submitting drainage calculations, traffic reports, or engineering data, twenty-two (22) copies of this information are also required. Double-sided copies of reports are permitted and encouraged.

Filing Fees

All filing fees are to be paid by check, attached to a complete application, and delivered to the Department of Planning and Development.

Filing fees are to be made payable as follows:

Special Permit Fee:	\$350.00 payable to the City of Chelsea
Advertising Fee:	\$60.00 payable to the <i>Chelsea Record</i>

Contact: Helen Ramirez, Administrative Assistant

Special Permit Process

Special Permit Granting Authority is the Zoning Board of Appeals
Planning Board Makes a Special Permit Recommendation

Application with complete supporting documentation is filed with the City Clerk.

Within 35 days of receipt or by the first public hearing, inter-departmental review must be completed. Failure of the reviewing parties to make recommendations shall be deemed a lack of opposition.

Abutters will be notified by DPD mailings before the public hearing and the public notice will be published in the *Chelsea Record* for two consecutive weeks (14 days).

A public hearing by the ZBA and Planning Board must be held within 65 days of filing with the City Clerk.

A decision must be reached within 90 days of the close of the public hearing.

No action

Approve

Deny

Within 14 days of decision, the applicant must notify the City Clerk and abutters of approval due to failure to act and 20 day right to appeal.

The ZBA must file the decision within 14 days with the City Clerk.

Within 14 days of decision, the applicant and abutters will receive notice of denial and 20 day right to appeal.

If no appeal is made within 20 days, the City Clerk will issue a certificate of no action to the applicant.

A notice of decision is mailed to the applicant and abutters.

Applicant may reapply after 2 years.

Appeals by aggrieved persons may be sent to the Superior Court within 20 days after filing.

Applicant must file a certified copy of the decision with the Suffolk County Registry of Deeds in order for the Special Permit to become effective.

Special Permit expires if no substantial activity has begun within 2 years.

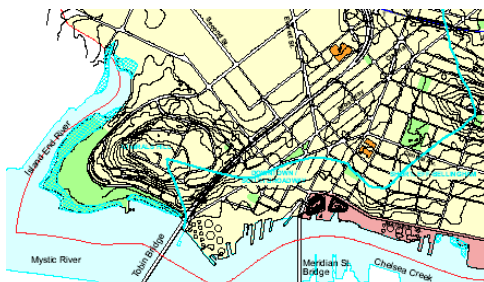
Differences between Special Permit and Site Plan Review

A **Special Permit** review will focus on issues such as:

- The specific site is an appropriate location for the use or structure;
- The use as developed will not adversely affect the neighborhood;
- Adjoining uses are protected against any detrimental and offensive methods of utilizing the site, and
- Adequate and appropriate facilities will be provided to assure the proper operation of the proposed use or structure.

Site Plan Review will examine issues such as:

- Location, dimensions, square footage, proposed use as it relates to the site, and floor elevation of existing and proposed buildings;
- Traffic safety and ease of access at street, highway, and driveway entrances - taking into account traffic volume, grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections and times of peak traffic flow;
- Locations and dimensions of existing and proposed easements and right-of-ways;
- Type of curbing (granite, concrete) appropriate for zone and area;
- Undue nuisances or serious hazards to pedestrians and bicyclists as a result of the proposed use or structure;
- Safety and adequacy of driveway layout, off-street parking and loading sites, sufficiency of access for service vehicles such as electricity, gas, fuel, telephone, laundry, rubbish removal, water, sewer, fire, or police vehicles;
- Adequacy of the methods of disposal for sewage, refuse, and other wastes resulting from the uses permitted on the site, safety and adequacy of water supply, and existence and positioning of fire fighting facilities on the site;
- Adequacy of surface and storm-water drainage and snow-melt runoff within and from the site, including but not limited to all walkways, driveways, buildings, parking, and loading areas;
- Evaluating water, sanitary sewer, and stormwater drainage systems, including location and size of existing and proposed water and sewer mains, hydrants, culverts, and storm drains, both on site and in adjoining public ways;
- Locations and dimensions of other public service connections;



- If the subject site is located within the Wetlands Resource Area, the Conservation Commission shall review the proposed measures to maximize the recharge and surface infiltration of surface runoff from impervious surfaces;
- Location of natural features such as streams, floodways, wetlands, rock outcroppings, trees, and other natural features to be preserved
- Landscaping, including types and sizes of plantings and screenings

IV. MINOR AND MAJOR SITE PLAN APPROVAL

Purpose

The purpose of site plan review is to ensure that new development meets the requirements of the zoning ordinance and is designed in a manner that reasonably protects the safety, visual, environmental, and aesthetic qualities of the neighborhood and the city.

Projects Requiring Site Plans

Single-, two-, or three-family homes do not require site plan approval. However, other uses require site plans, including:

1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, or industrial structures, or multi-family residences with four or more dwelling units;
2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or multi-family structure or purpose.

Reviewing Authorities

Site plan review and approval authority rests with the Planning Board for major site plan review and the Building Inspector for minor site plan review.

Minor Site Plan Review

Building Inspector: Approves all uses of less than 8,000 square feet of floor area and which will not generate the need for twenty-five (25) or more parking spaces. Maximum review period is 60 days. A public hearing is not required.

Major Site Plan Approval

Planning Board: Approves all uses greater than 8,000 square feet of floor area and which more than twenty-five (25) parking spaces are required. Maximum review and approval period for site plan approval is 155 days. A public hearing is required in accordance with the procedures set forth in M.G.L. c. 40A, ss. 9 and 11. Site plans for projects requiring a special permit are submitted and acted upon as part of the special permit process.

Zoning Board of Appeals: Any conditions imposed by the Planning Board shall be incorporated into the issuance, if any, of a special permit or variance by the ZBA.

Review Process for Major Site Plan

The applicant shall provide one (1) original and twenty-one (21) copies of all plans, narratives, and applications. Fourteen plans shall be 11" x 17" copies for members of the ZBA and the Planning Board. Applicants are invited to submit a pre-application sketch of the proposed project to the Department of Planning and Development and to schedule a comment period at a regular meeting of the Planning Board. Plans shall be prepared by a registered engineer, registered land surveyor, architect, or landscape architect, as appropriate. When submitting drainage calculations, traffic reports, or engineering data, twenty-two (22) copies of this information are also required. Double-sided copies of reports are permitted and encouraged.

When a use requires a special permit from the ZBA or the Planning Board a public hearing is required and the site plan is submitted and acted upon as part of the special permit process. A

decision must be issued within 90 days of the close of the public hearing. The decision must be filed with the City Clerk and a 20-day appeal period is observed.

Filing Fees

A check shall be attached to a complete application and delivered to the Department of Planning and Development.

Advertising Fee: **\$60.00** payable to the *Chelsea Record*

Purpose

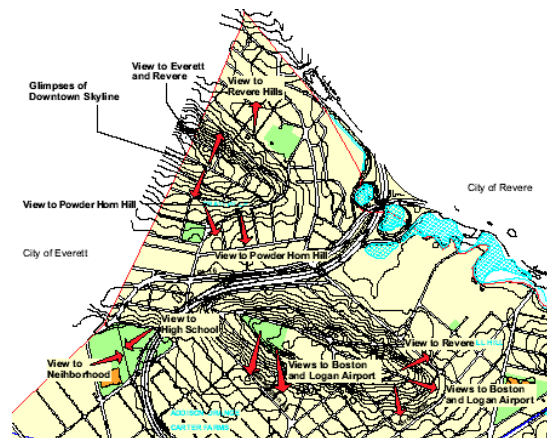
The purpose of the site plan review procedure is to protect the safety, public health, convenience, and general welfare of the inhabitants of the city by providing a comprehensive review of plans for those uses and structures which have a substantial impact on the character of the city and upon traffic, utilities, and property values therein.

Consideration

The site plan review procedure is intended to insure compliance with all applicable by-laws and statutes. It is also designed to assist those wishing to build major projects within the city by providing the necessary information about all of the City's requirements affecting the proposed project prior to the start of any construction or the issuance of any permits.

In considering an application for site plan approval, the Planning Board shall use the following criteria:

1. The protection of visual corridors to the waterfront and/or Boston skyline;
2. The use of landscaping to establish buffers between incompatible land uses;
3. The provision of open spaces and pedestrian amenities available to the public;
4. The arrangement of access points, driveways, parking areas, and pedestrian walkways in a manner which facilitates interior circulation and minimizes conflict between vehicles and pedestrians;
5. Provisions for underground placement of utilities;
6. Provisions for surface run-off and the protection of the site and adjacent properties from erosion as a result thereof;
7. The siting of buildings, structures, and open spaces to permit maximum use of passive solar energy and to permit maximum protection of pedestrian areas from adverse impacts of winds, vapors or other emissions, and/or noise;
8. Provisions for maintenance of common areas;



9. In the case of application within the Waterfront District and the Industrial District:



- a. The provision of linear access, access points where linear access cannot be provided, vantage points, sitting areas, and pedestrian amenities along the waterfront, and
- b. The compatibility of new buildings and structures with existing development landward of the proposed development (including, in particular, the preservation of waterfront views from existing development), and

10. Compliance with all applicable provisions of the zoning ordinance.

Specific factors to be considered may include:

- placement of buildings and utilities,
- surface and groundwater drainage,
- building heights,
- parking and circulation,
- loading,
- landscaping,
- lighting,
- snow removal,
- dust and noise control,
- sidewalks,
- pedestrian access,
- bicycle access and parking,
- access to the developments,
- acceptable sanitary conditions, and
- open space.

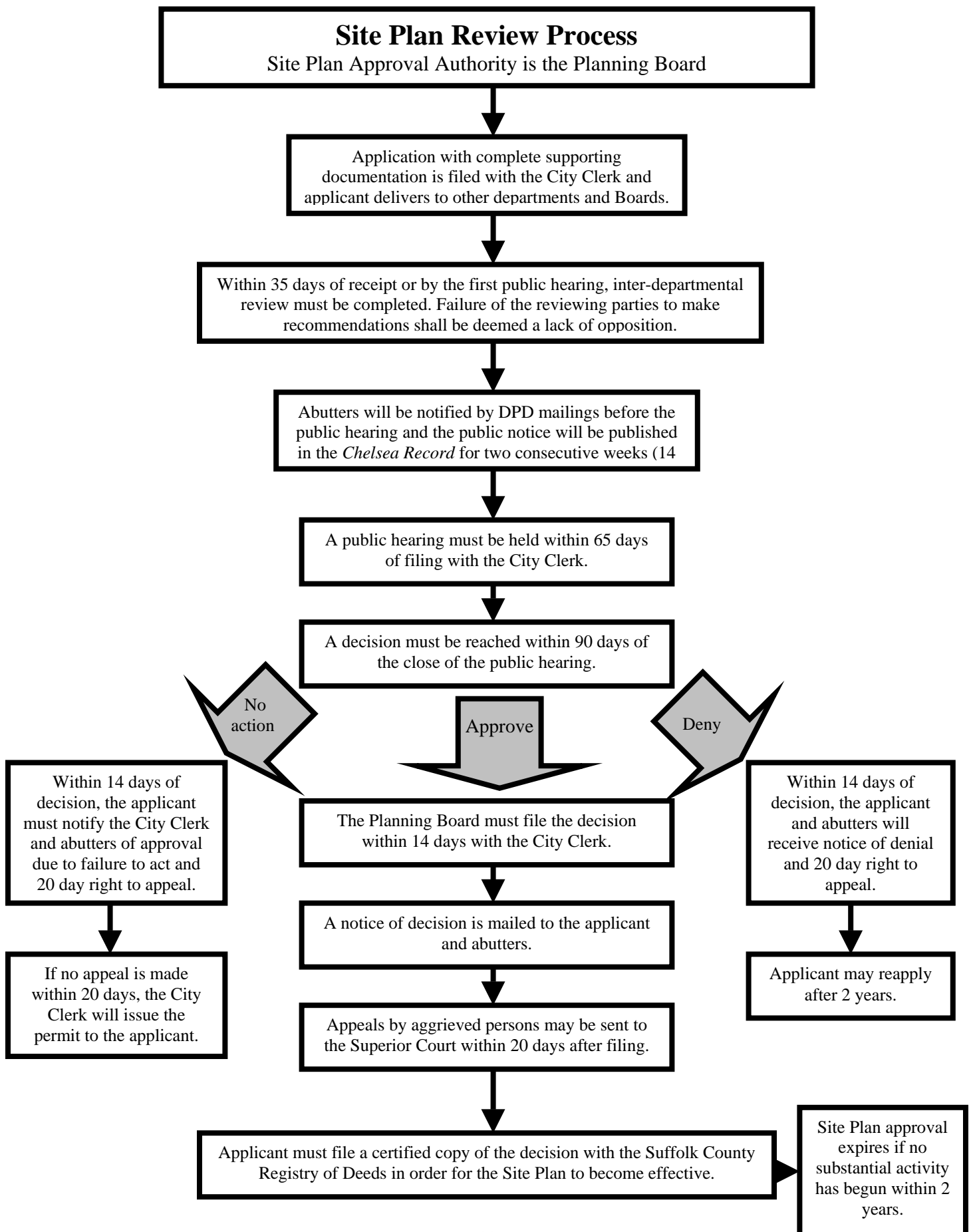


Decision

A vote of at least six members of the Planning Board shall be required for approval. The Planning Board shall file its decision with the City Clerk and shall send notice of such action by registered or certified mail, postage prepaid, to the applicant. In the event of disapproval, the Planning Board shall state in detail wherein the plan does not conform to legal requirements. Any person aggrieved by a decision of the Planning Board may appeal to the Superior Court or to the Land Court in accordance with M.G.L. Chapter 40A, Section 11.

Contact: John DePriest, AICP, Director of Planning/Conservation Agent

Contact: Steve Melescuic, Zoning Enforcement Officer, Inspectional Services Department



V. VARIANCE

Purpose

The purpose of a variance is to ensure that the proposed use or structure will not adversely impact adjacent properties, the neighborhood, the community, or the environment and that the project meets the requirements of the zoning ordinance.

Criteria

Variances shall be granted by the ZBA only upon its written determination that the benefit to the neighborhood and the city outweigh any adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site. The ZBA does not have the authority to grant a “use variance”, a variance that would permit a use that is not otherwise allowed in that zone. Any determination shall specifically include the following four items, which must **all** be met:

- 1). A description of the circumstances relating to the soil conditions, shape or topography which especially affect the land or structure (s) in question, but which do not affect generally the zoning district in which the land or structure is located that would substantiate the granting of a variance;
- 2). A description of how the literal enforcement of the provisions of the zoning ordinance relating to the circumstances especially affecting the land or structure in question would involve substantial hardship, financial or otherwise, to the petitioner;
- 3). A description of how desirable relief may be granted without substantial detriment to the public good, and
- 4). A description of how desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the zoning ordinance of the City of Chelsea.



Review Process

The applicant shall provide one (1) original and six (6) copies of all plans, narratives, and applications. Five plans shall be 11” x 17” copies for members of the ZBA. Plans shall be prepared by a registered engineer, registered land surveyor, architect, or landscape architect, as appropriate. When submitting drainage calculations, traffic reports, or engineering data, seven (7) copies of this information is also required. Double-sided copies of reports are permitted and encouraged.

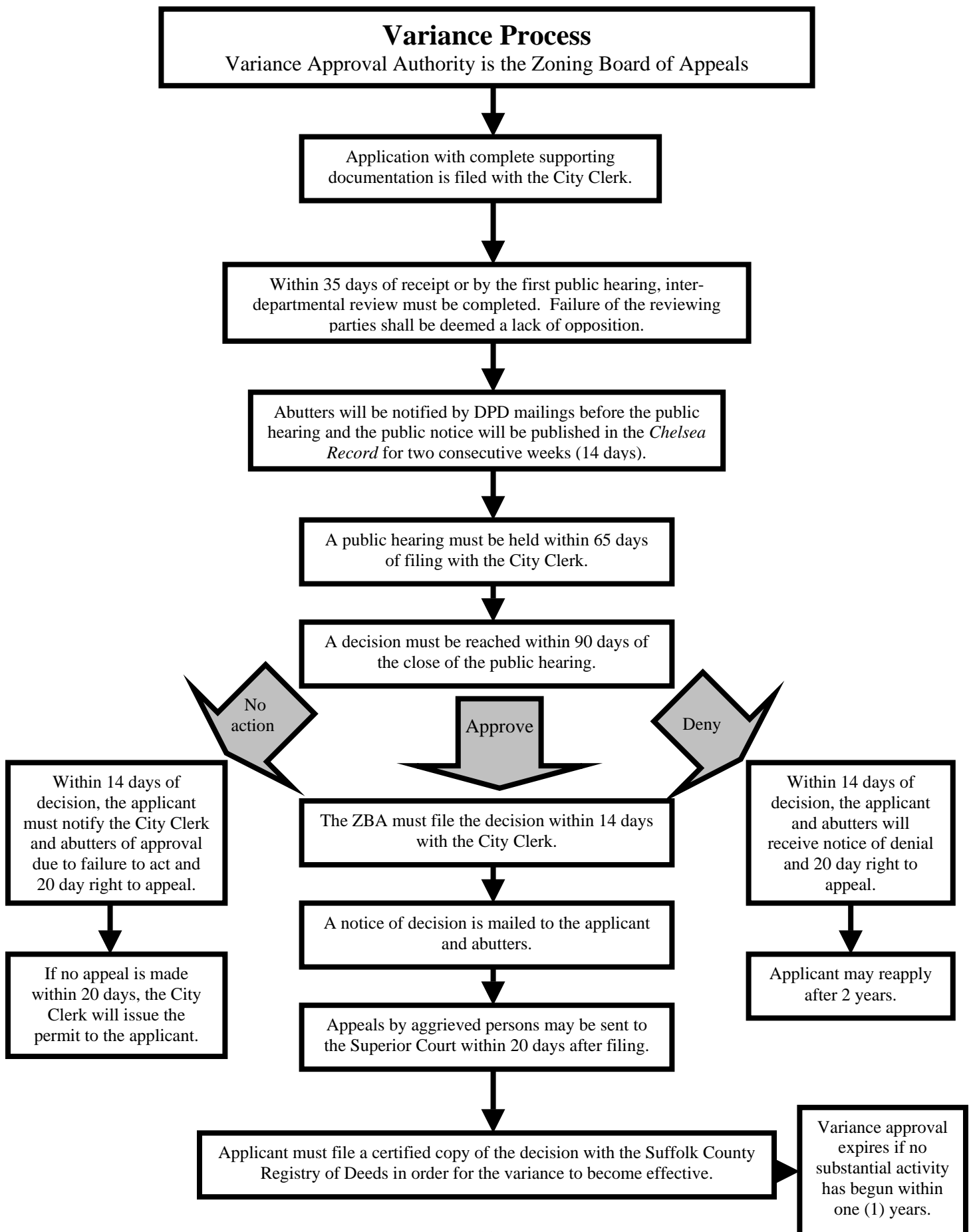
Filing Fees

All filing fees are to be paid by check, attached to a complete application, and delivered to the Department of Planning and Development.

Filing fees should be made payable as follows:

Variance Fee:	\$350.00 payable to the City of Chelsea
Advertising Fee:	\$60.00 payable to the <i>Chelsea Record</i>

Contact: Helen Ramirez, Administrative Assistant



VI. WETLANDS PROTECTION

Reviewing Authority

The Chelsea Conservation Commission is responsible for administering the Massachusetts Wetlands Protection Act (MWPA). The regulations governing this act is included in the Wetlands Protection Act Regulations 310 CMR 10.00. Proposed projects are reviewed based upon the proximity to a resource area and the ability to minimize potential impacts.



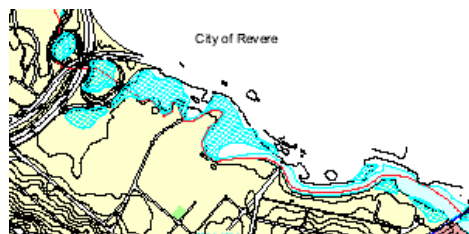
Projects Requiring Approval

Any proposed activity or project, that will “remove, fill, dredge, or alter” a wetland resource area, the 25-foot riverfront protection area, or the 100-foot buffer zone associated with a wetland resource area must obtain a permit from the Conservation Commission. The term “alter” includes but is not limited to any development, construction, destruction of vegetation, any change in drainage characteristics or flow patterns, and any change in the groundwater. A wetland resource area includes any stream, river, creek, pond, lake, and the banks associated with them, any meadows, marshes, swamps, bogs, any land under water, land subject to flooding, and any riverfront area.

Applications and Permits

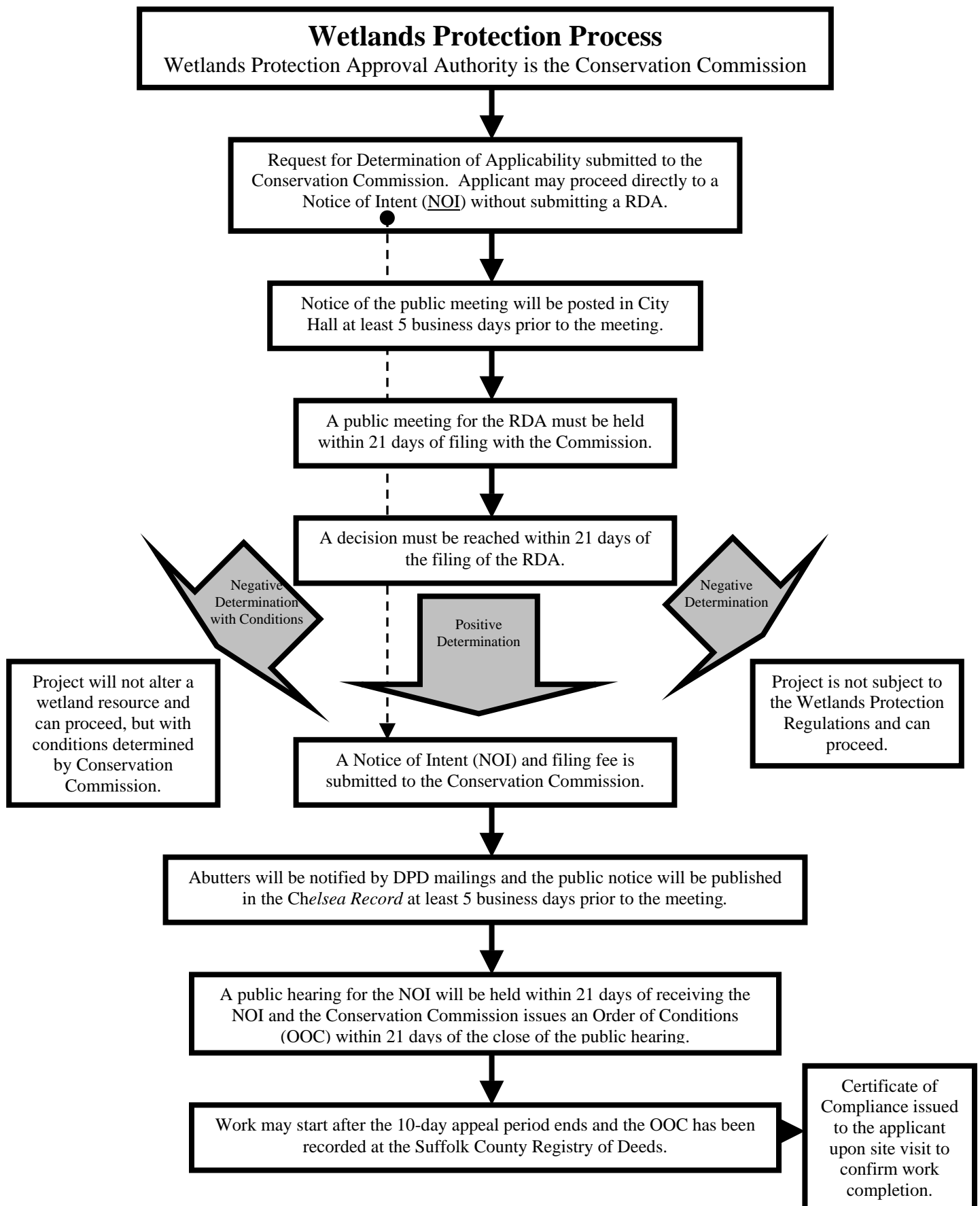
Request for Determination of Applicability (RDA): This application requests the Commission to determine if the proposed work or property is subject to the MWPA. For simple projects, the Commission may also determine if the work can be done in a manner that will not negatively impact the resource area. In response to a RDA, the Commission may issue one of the following decisions:

- 1) Positive Determination - the proposed work or property is subject to the MWPA and requires the filing of a Notice of Intent;
- 2) Negative Determination - proposed work is not subject to the MWPA, or
- 3) Negative Determination with Conditions - proposed work is within the 100-foot buffer zone and will not adversely impact the resource area if simple precautions are taken.



Notice of Intent (NOI): This application provides the Commission with a detailed description of the proposed work that is located in a resource area, riverfront area or buffer zone that may impact a nearby wetland resource area. In response to a NOI, the Commission may issue an Order of Conditions permitting the proposed work with conditions consistent with the standards in the Wetlands Protection Act Regulations, which prevent significant adverse impacts to a wetland resource area, or deny the project because it cannot be performed in a manner that prevents negative impacts to a wetland resource area. A wetland application filing fee must accompany the Notice of Intent. The fee is based on the category of the proposed activity (described in 310 CMR 10.03(7)) and the resource area to be impacted by the activity.

Contact: John DePriest, AICP, Director of Planning/Conservation Agent



VII. SUBDIVISION APPROVAL

Purpose

The purpose of subdivision approval is to regulate adequate laying out and construction of ways in subdivisions providing access to several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases, parks and open areas. A subdivision is the division of the original parcel into two or more lots that have frontage on existing or proposed roads.

Types of Plans

Approval Not Required (ANR)- Plans show the proposed lots with frontage on existing roads. The Planning Board will evaluate if there is sufficient frontage, as required by the zoning ordinance, and adequate access.

Preliminary Plan- A plan of a proposed subdivision to facilitate proper preparation of a definitive plan. It includes proposed street layout, lot boundaries, drainage system, and topography. It is recommended, but not required that a preliminary plan be submitted. A preliminary plan cannot be recorded with the Registry of Deeds.

Definitive Plan- A subdivision plan as submitted to the Planning Board for approval to be recorded in the Suffolk County Registry of Deeds when approved by the Board. This plan must present engineering calculations for every street, lot line, topography, centerline profile of streets, layout and design of sewers, stormwater drainage, and wetland resources.

Criteria

Subdivision approval shall be granted by the Planning Board only upon its consideration of each of the following:

1. Adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel;
2. Lessening congestion in such ways and in adjacent public ways;
3. Reducing danger of life and limb in the operation of motor vehicles;
4. Securing safety in case of fire, flood, panic, and other emergencies;
5. Insuring compliance with the zoning ordinance;
6. Adequate provision for water, sewerage, drainage, underground utility services, fire, police, and streetlighting, and
7. Coordinating the ways in a subdivision with each other and with the public ways in the city and with the ways in neighboring subdivisions.



Review Process

The applicant should consult the *Chelsea Rules and Regulations Governing the Subdivision of Land* (June 1995) that is available in the Department of Planning and Development and the Office of the City Clerk. Each type of plan has its own review process, submission requirements, timeline, number of copies, and application procedures. This documentation should be the first piece of material reviewed by the applicant when contemplating this process.



Filing Fees

All filing fees are to be paid by check, attached to a complete application, and delivered to the

Department of Planning and Development.

Filing fees should be made payable as follows:

Preliminary Subdivision Fee: **\$200.00** payable to the City of Chelsea
Definitive Subdivision Fee: **\$150.00** plus **\$100.00** for each proposed lot
ANR Subdivision Fee: **\$50.00** payable to the City of Chelsea
Advertising Fee: **\$60.00** payable to the *Chelsea Record*

Contact: John DePriest, AICP, Director of Planning/Conservation Agent



VIII. APPEALS

Purpose

The Zoning Board of Appeals hears appeals regarding zoning decisions by the Building Inspector.

Appeals of ZBA decisions (special permits, variances, and appeals) may be directed to the Suffolk County Superior Court.

Criteria

The applicant or any aggrieved person may bring the appeal to the ZBA for review. In order to apply for an appeal, a “PETITION FOR APPEAL” must be submitted to the ZBA. This application is available on the Department of Planning and Development website and the ISD office in City Hall. Appeals must be made within 30 days of the decision that is being appealed.

Review Process

The applicant shall provide one (1) original and six (6) copies of all plans, narratives, and applications. Five plans shall be 11” x 17” copies for members of the ZBA. Plans shall be prepared by a registered engineer, registered land surveyor, architect, or landscape architect, as appropriate. The applicant should explain how the previous decision(s) is incorrect and should be modified to provide relief.

Filing Fees

All filing fees are to be paid by check, attached to a complete application, and delivered to the Department of Planning and Development.

Filing fees should be made payable as follows:

Appeal Fee:	\$350.00 payable to the City of Chelsea
Advertising Fee:	\$60.00 payable to the Chelsea Record

Contact: Helen Ramirez, Administrative Assistant



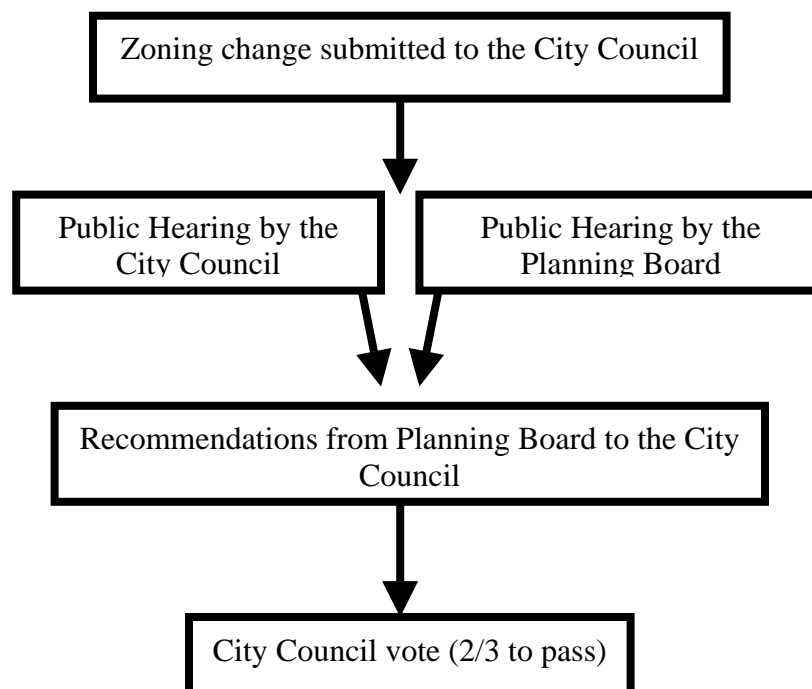
IX. ZONING CHANGES

The City of Chelsea adopted a new set of zoning regulations in 2003, but updates occur periodically to ensure that the regulations remain up-to-date. Zoning changes may address the written requirements of the zoning, affect the geographic boundaries of the zoning districts, or both.

Any proposed changes to the zoning ordinance can be submitted to the City Council by a City Council member, the Planning Board, the Zoning Board of Appeals, affected property owners, the regional planning agency (Metropolitan Area Planning Commission), or ten Chelsea residents. After the petition for zoning change is submitted to the City Council, both the Planning Board and City Council must hold public hearings, either separate or jointly. After its public hearing(s), the Planning Board will submit a written summary report to the City Council that details their recommendations. The City Council may approve the ordinance with a two-thirds affirmative vote, in accordance with the provisions of M.G.L. c. 40A.



The process is briefly outlined as follows:



X. DESIGN REVIEW – R3, BR2, AND LI2 DISTRICTS

Purpose

The Design Review process provides an opportunity for the Department of Planning and Development to establish conditions by which new development in the R3, BR2, and LI2 Districts can be shaped to serve city urban design objectives more effectively. It is the intent of this review to provide a method by which new development proposals can be assessed at an early stage. This assessment offers the opportunity to explore potential modifications and refinements that would better serve the interests of both the city and the project proponent. Similarly, potential negative impacts can be identified and modifications explored that would reduce or eliminate them.

Criteria

Design review and resulting recommendations, if any, shall be required for all uses within the R3, BR2, and LI2 Districts, before the issuance of a building or occupancy permit for any such use, except for:

- 1) Construction, reconstruction or repair which does not involve a change in design, material, color or the outward appearance of an existing building.
- 2) Construction, reconstruction or alteration of any feature that the Inspector of Buildings shall certify is required for the public safety because of an unsafe or dangerous condition.



The Design Review will evaluate the extent to which the proposed design satisfies the Residential 3 (R3), Business Retail 2 (BR2) and Light Industrial 2 (LI2) Districts Design Guidelines as specified in Zoning Ordinance Section 9.5.

Review Process

The applicant shall provide one (1) original and five (5) copies of all plans, narratives, and applications. Five plans shall be 11" x 17" copies for the Inspector of Buildings, the Zoning Enforcement Officer, the Planning Board, the City Engineer, and the Fire Chief. Plans shall be prepared by a registered engineer, registered land surveyor, architect, or landscape architect, as appropriate. When submitting traffic reports or engineering data, five (5) copies of this information is also required. Double-sided copies of reports are permitted and encouraged. All plans, sketches, and elevations should be single-sided.

Within a period of twenty-one (21) days after the filing of the plans and application for design review, the Department of Planning and Development shall schedule and hold a consultation session with applicant or his designee to determine whether the proposed construction, reconstruction, alteration, restoration, or moving of the buildings, structures or appurtenant fixtures involved will be appropriate in terms of the purposes and conditions contained in this section. Within ten (10) days of the consultation, the Department will issue to the applicant written comments on the development as expressed by City staff and/or consultants hired to perform design review.

Review Fees

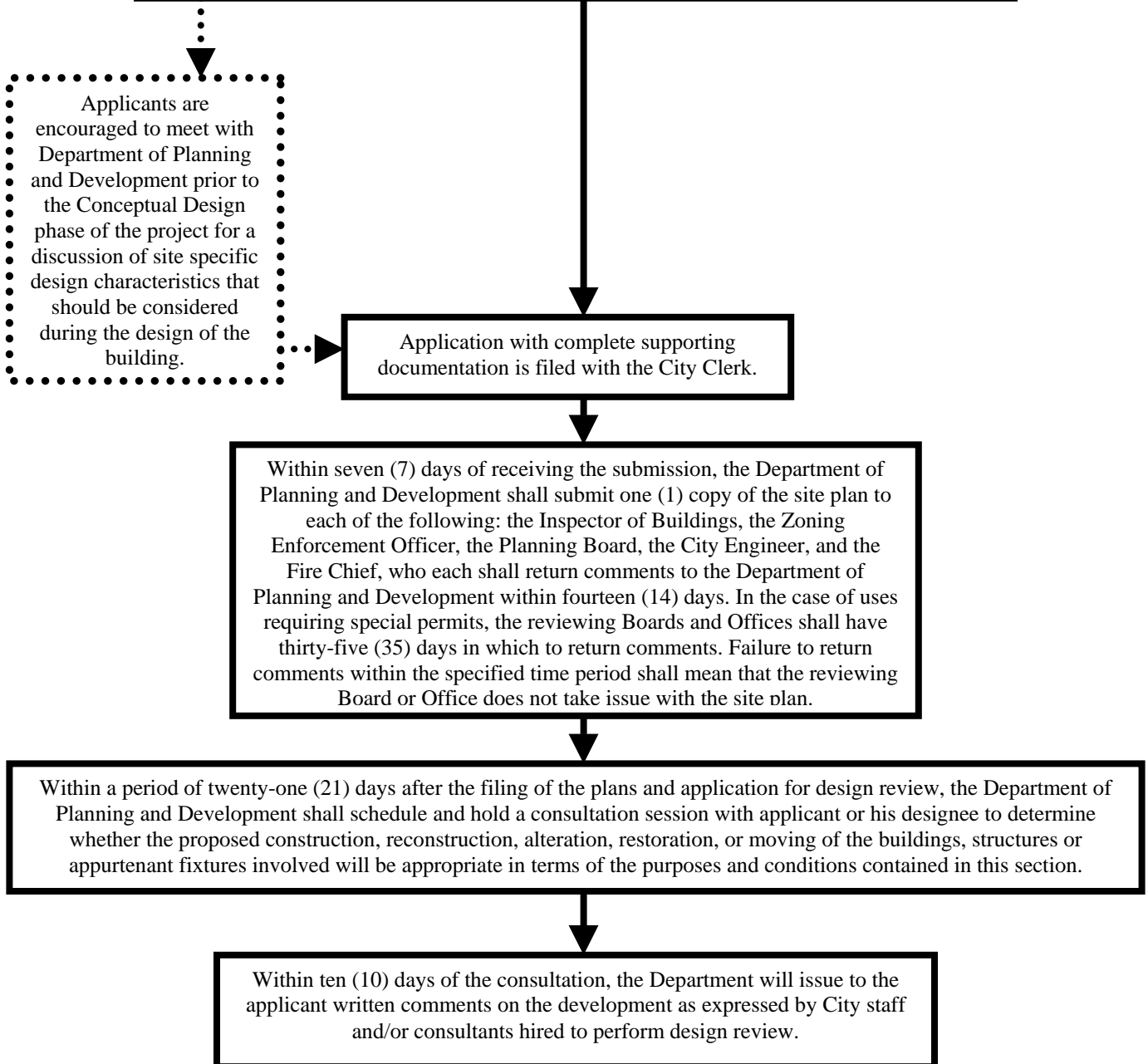
In considering such application for a design review, the Department of Planning and Development may consult an architect, city planner or urban designer employed by said Department at the expense of the applicant, providing that in no case the applicant is charged more than one (1) percent of the construction costs of the project being reviewed for the costs of processing an application for a Design Certificate.

Contact: John DePriest, AICP, Director of Planning/Conservation Agent



Design Review Process

Design Review Authority is the Department of Planning and Development



XI. BOARDS AND DEPARTMENT CONTACTS

Planning Board (Room 101)

*John DePriest, AICP, Director of Planning/Conservation Agent - (617) 889-8237
jdepriest@chelseama.gov*

Approves all site plans greater than 8,000 square feet of floor area and which will generate the need for more than twenty-five (25) parking spaces. Site plans for projects requiring a special permit are submitted and acted upon in conjunction with the special permit process. The Planning Board may offer consideration, review, and support of special permits applications to the Zoning Board of Appeals. The Planning Board also approves subdivision plans.

The Planning Board is composed of up to nine members who are appointed by the City Manager for three-year terms. For a list of Planning Board members, contact the City Clerk's Office or http://www.chelseama.gov/Public_Documents/ChelseaMA_bcomm/planning.

Zoning Board of Appeals (Room 101)

*Ned Keefe, Chair- (617) 889-8233 nkeefe@chelseama.gov
Helen Ramirez, Administrative Assistant- (617) 889-8232 hramirez@chelseama.gov*

Approves all uses that require a special permit, variance, appeal, or Planned Development design review. The site plan is received from the Planning Board and acted upon as part of the special permitting process.

The Zoning Board of Appeals is composed of up to three members and two associates who are appointed by the City Manager for three-year terms. The Chair position is delegated to the Executive Director of the Planning Department. For a list of ZBA members, contact the City Clerk's Office or http://www.chelseama.gov/Public_Documents/ChelseaMA_bcomm/zoning.



Conservation Commission (Room 101)

John DePriest, AICP, Director of Planning/Conservation Agent- (617) 889-8237 jdepriest@chelseama.gov

The Conservation Commission administers the Massachusetts Wetlands Protection Act, including related state regulations. The Conservation Commission determines if a project falls under the Commission's jurisdiction and advises on obtaining local, state or federal permits. The Conservation Commission may issue an Order of Conditions, which directs proponents on construction methods of limited environmental impacts. For a list of Conservation

Commission members, contact the City Clerk's Office or http://www.ci.chelsea.ma.us/Public_Documents/ChelseaMA_bcomm/conservation.

Department of Public Works (Room 310)

*Joe Foti, Director - (617) 889-8244 jfoti@chelseama.gov
Andrew DeSantis, Assistant Director - (617) 889-8376 adesantis@chelseama.gov*

The DPW reviews applications and counsels boards on engineering and site design issues such as stormwater management, traffic, roadway construction, and utilities. The DPW also permits curb cuts for access and street openings for utility connections.

Fire Department (307 Chestnut St)

Joe Siewko, Chief - (617) 884-2010 jsiewko@chelseama.gov

The Fire Department reviews site plans for sufficient roadway emergency access for public safety and fire vehicles. The Fire Department controls the permit process for underground storage tanks and storage of hazardous materials.

**Health Department (Room 100B)**

Luis Prado, Director - (617) 889-8378

lprado@chelseama.gov

The Health Department issues permits for septic systems and wells. The Health Inspector also reviews site plans and special permit applications to ensure that public health and safety needs are addressed.

Inspectional Services Department (Room 203)

Joe Cooney, Director - (617) 889-8382 jcooney@chelseama.gov

Steve Melescuic, Zoning Enforcement Officer - (617) 889-8275 smelescuic@chelseama.gov

The Inspectional Services Department approves site plans of less than 8,000 square feet of floor area and twenty-five (25) or less parking spaces (a public hearing is not required). ISD also permits food service and swimming pools. ISD also makes the determination as to a proposed project's conformance with the existing zoning ordinance.

Department of Planning and Development (Room 101)

Department homepage- http://www.chelseama.gov/Public_Documents/ChelseaMA_Planning/index

City Hall Hours:

Monday, Wednesday, Thursday	8:00 A.M. to 4:00 P.M.
Tuesday	8:00 A.M. to 7:00 P.M.
Friday	8:00 A.M. to 12:00 P.M.

